

## AN ACT

For granting to His Majesty a certain sum of Money out of the Funds applicable to the uses of this Province, to defray the Expenses of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof.

MOST GRACIOUS SOVEREIGN,

WHEREAS it would much advance the general prosperity of this Province, and greatly facilitate the public service, if the public Highways and Roads were amended: May it please your Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an act passed in the fourteenth year of his Majesty's Reign," entitled "An Act for making more effectual provision for the Government of the province of Quebec in North America and to make further provision for the Government of the said Province," and by the authority of the same. That out of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, there be granted to His Majesty His Heirs and successors the sum of six thousand pounds to be issued out of the funds now remaining or hereafter to come into the Receiver General's hands unappropriated, and arising from such rates and duties as last aforesaid, which said sum of six thousand pounds shall be disposed of, appropriated and applied in opening new Roads, repairing the roads already laid out and in building Bridges in the several Districts of this Province.

II. And be it further enacted by the authority aforesaid, That the said sum of six thousand pounds shall be appropriated in the following manner, that is to say, to the Eastern District, one thousand pounds, which said sum of one thousand pounds shall be laid out and expended in the following manner, that is to say, one hundred and thirty seven pounds ten shillings to be laid out on Penoyer's Road in front of the township of Madison; One hundred and thirty seven pounds ten shillings for the Township of Williamsburg; one hundred pounds for the township of Onabuck; two hundred and seventy five for the main road commencing at John Matives Jun. in the Township of Cornwall leading through the back settlement by and over the bridge of the River aux Raisin at McMartin's Mill till it arrives at the Province line of Lower Canada; Fifty pounds to be laid out on the road leading from the Town of Cornwall to the said main road below St. Andrews Church on the River aux Raisin in the said Township of Cornwall; Three hundred pounds to be laid out and expended in building Bridges, opening and repairing the roads as follows, beginning at or near the Stone House of John Grant in Hawkebury in the county of Prescott, from thence on the road laid out by Alex'r. Grant, surveyor of roads, until it intersects the road between Lots number nine and ten in the western Division of Hawkebury, from thence between said lots, to the concession road between the fifth and sixth concessions; and from thence on the road known by the road laid out by Joseph Fortune to the first settlements in the county of Glengary; also the Public money in the hands of Alexander Grant unexpended, to be laid out on the road as above described.

For the District of Johnstown, one thousand pounds, which said sum of one thousand pounds, shall be laid out and expended in the following manner, that is to say, six hundred pounds on the front or Penoyer's road leading from the Eastern District to the Midland District, and passing Adam Coles in front of Elizabethtown; and four hundred pounds on the road leading from Daniel Jones's front Mills in Elizabethtown aforesaid to the said Midland District, and passing Justice Seelye's in Elizabethtown aforesaid, and the furnace in the rear of Lansdown in the said District of Johnstown.

To the Midland District, seven hundred pounds, which said sum of seven hundred pounds shall be laid out & expended in the following manner, that is to say, on the road leading from the Carrying place head of the Bay of Quinty to Townsend Carman's thro' the township of Ameliaburg, eighty pounds; on the road from Vanaldine's Mills to Thomas Eyres in Hallowell twenty pounds; from the western Boundary of the Township of Richmond, to the eastern boundary of the township of Thurlow, two hundred pounds; from the Napanee Mills to Kingston on the back road, two hundred pounds; from Kingston Eastward, Two hundred pounds.

To the District of Newcastle, five hundred pounds, which said sum of five hundred pounds shall be laid out and expended in the following manner, that is to say, on the road leading from the carrying place at the head of the bay of Quinty to the east corner of lot number one in the second Concession of the township of Cramahe, one hundred pounds; on the road leading from the River Trent to the east corner of lot number one in the second concession of the township of Cramahe, one hundred pounds; On Dundas street through the Townships of Hope, Clarke and Darlington, two hundred and fifty pounds; in repairing bridges and making Causeways on the road through the Townships of Cramahe, Haldimand and Hamilton, fifty pounds

For the Home District, one thousand pounds, which said sum of one thousand pounds, shall be laid out and expended in the following manner, that is to say, east of the Town of York, that is to say, on the Dundas road through Whitby and Pickering, in erecting a bridge over the river Nen, on the road through Scarborough, and erecting a bridge over the river Don, on the Dundas road near the Town of York, the sum of six hundred pounds; and from the town of York westward, the sum of four hundred pounds; to be applied in the following manner, for building a bridge across the Humber at or near Cooper's Mills on the Dundas Street, one hundred pounds, and for Causewaying the road from thence to the river Credit the sum of two hundred pounds, and for opening the Street on each side the river Credit through the Indian Reserve, forty pounds; and upon the road leading from Dundas Street to Dundas Mills, the sum of sixty pounds.

For the District of Niagara, six hundred pounds, which said sum of six hundred pounds shall be laid out and expended in the following manner, that is to say, on the Grand River Swamp from Vanderlips to Fairchild's Creek two hundred and fifty pounds; from Stony Creek to the forty mile Creek one hundred pounds; from the forty mile creek to the twelve mile creek fifty pounds; from the twelve mile creek to Niagara, middle road

sixty pounds; from the twelve mile creek to ~~Openhook~~ <sup>St. Davids</sup>, sixty pounds; from St. Davids down the four mile creek to Seroos's fifty pounds; and for the Bridge at Mr. Beasley's creek, thirty pounds.

To the District of ~~Ladon~~ <sup>Ladon</sup>, six hundred pounds, which said sum of six hundred pounds shall be laid out and expended in the following manner, that is to say; on Talbot road from big creek to port Talbot, and from thence to Delaware in such places as the commissioners may deem most expedient, three hundred pounds; from Yeighs to Delaware, one hundred and fifty pounds; from Hart Smith's to Big creek, following the Windham line, seventy five pounds, on the back road through Charlotteville and Walsingham to Talbot road Seventy five pounds.

To the Western District six hundred pounds, which said sum of six hundred pounds shall be laid out and expended in the following manner, that is to say, In the wilderness between Delaware and Moravian Town, four hundred pounds; from Moravian Town to Sandwich, one hundred pounds; from Sandwich to Amherstburgh, one hundred pounds; Provided always, and be it further enacted, that no part of the said sum abovementioned shall be expended as aforesaid, unless the Governor, Lieutenant Governor or person administering the Government shall give special directions to that effect.

III. *And be it further enacted by the authority aforesaid*, that at any time from and after the passing of this Act it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province to appoint one Commissioner for each of the aforesaid Districts of this Province for carrying the provisions of this act into execution, which commissioner shall have full power and authority, and he is hereby required to proceed to repair and amend such roads and build such bridges in each and every of the aforesaid districts as herein before described to which he shall be respectively appointed, and the said commissioner shall cause the work required by this act to be done or performed on or before the first day of September next, Provided always, that in the Eastern District there may be two commissioners, one of whom shall reside in the county of Prefcott.

IV. *And be it further enacted by the authority aforesaid*, That the said commissioner appointed by this act, shall on or before the first day of January, transmit to the Governor Lieutenant Governor or person administering the Government of this Province a true account of the expenditures of the money by him received under and by virtue of this act, (in detail) with proper vouchers accompanying the same to be laid before the Legislature for their inspection.

V. *And be it further enacted by the authority aforesaid*, that it shall and may be lawful for the Governor Lieutenant Governor or person administering the Government of this Province to direct the money appropriated and apportioned as aforesaid for each and every district thereof to be paid to the commissioner for such district as may be appropriated: Provided always, that if any of the said sums of money herein before granted shall not be expended on the Highways before the first day of September next, each and every commissioner appointed by virtue of this act shall be obliged to repay to the Receiver General of this Province all such sum or sums of money unexpended as shall be by him received under the authority of this act.

VI. *And be it further enacted by the authority aforesaid*, That before any commissioner shall proceed to carry into execution the several powers and authorities by this act composed he shall take the following Oath, "I A. B. do swear that I will faithfully and impartially to the best of my skill and judgment perform and carry into execution the several powers and authorities in me vested in and by a certain act of the Legislature of this Province," entitled, "an act for granting to His Majesty a certain sum of money out of the funds applicable to the uses of this Province to defray the expences of amending and repairing the public Highways & roads and building bridges in the several districts thereof," without favor or affection to any person or persons whomsoever, and will duly and faithfully account for all monies which shall from time to time come into my hands for the purpose of carrying the provisions of the said act into execution, so help me God." Which said Oath shall be taken before any one of His Majesty's Judges of the Peace in and for the district for which such commissioner shall be appointed, and a certificate of such Oath, the Justice administering the same is hereby required to transmit to the clerk of the House of Assembly of this Province with all convenient speed after such Oath shall have been by him administered.

VII. Provided nevertheless, and it is hereby declared that nothing herein contained shall repeal or amend any of the provisions of any existing act or acts of this Province contained, for raising or levying the Rates thereby imposed or compelling the labor by such acts or in any of them required to be done and performed on any public Highways and roads comprised in such acts; but all and every such act or acts is and are declared to be and continue in full force; provided also that nothing in any former Law or statute of this Province contained shall from and after the passing of this act, be held and construed to empower or authorize any Magistrate or overseer in any such Law or Statute mentioned in any manner to interfere or give directions touching or concerning any road or Highway to be laid out or repaired under or by virtue of this act; nevertheless the said Magistrate and overseer and every of them is and are hereby authorized to carry into execution all and every such power and authority as by such law or statute they are vested with; in all cases in which the executing such power will not impede or interfere with the powers or authorities given in and by virtue of this act.

VIII. *And be it further enacted by the authority aforesaid*, That the money hereby granted to His Majesty shall be paid by the Receiver General in discharge of such warrant or warrants as shall for the purpose herein set forth be issued by the Governor, Lieutenant Governor or person administering the Government of this Province and the Receiver General shall account to His Majesty his Heirs and successors for the same, through the Lords commissioners of His Majesty's treasury for the time being, in such manner and form as His Majesty, his Heirs and successors shall be graciously pleased to direct.

IX. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province, to order that the sum of twenty pounds be paid out of any money now in the Receiver General's hands, or which may hereafter come into his hands unappropriated to each and every commissioner to be appointed under and by virtue of this act, as a compensation for his services in carrying the provisions of this act into effect.